DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 March 2010 has been entered.

Election/Restrictions

2. Claims 1-10 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 22, 2006.

Response to Arguments

3. The rejection under 35 U.S.C. § 112, 2nd Paragraph, is withdrawn in view of the amendment.

4. With respect to the rejections based on the prior art, Applicant's arguments are not persuasive.

A. Certain of the amendments to claim 11 merely incorporate the limitations previously pending in claims 12-16 and remain obvious for the reasons set forth in connection with those claims in the prior Office action. Further, it is the Examiner's position that the claimed alignment controller is inherent in the process of the prior art, since the steps carried out by such an alignment

controller are obvious based on the teaching of the prior art. Finally, phrases like *predetermined position*, *certain space*, *known distance*, *known size*, etc., are also inherent in the process of the prior art to the extent that one of ordinary skill must select values for such parameters and, since such selection cannot take place after the process has been performed, it may be considered predetermined.

B. Further, none of the purported advantages of Applicant's process, relied upon by Applicant, are claimed. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

C. As noted in the prior Office action, there appears to be no criticality ascribed to the dummy plate area, either in the cited prior art or in the invention instantly claimed. As noted in prior Office action, it would have been obvious to utilize a dummy substrate of any suitable size.

D. Finally, Applicant again argues that JP '533 teaches away from the instantly claimed subject matter. Beyond this broad statement, Applicant has provided no argument or evidence to support this allegation. As such, it remains not persuasive.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim 11 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted state of the prior art in view of JP 05-107533 A.

A. As noted in the prior Office action, Applicant's admitted state of the prior art, detailed in the instant specification at paragraphs 0017-0021 and Figs. 4A-4F, teaches all of the limitations of these claims with respect to a single dummy substrate, including the claimed forward/backward and left/right movement of the table and second camera as well as the unloading of the dummy substrate and loading of a mother substrate.

B. As noted in the prior Office action, Applicant's admitted prior art does not teach the presence of a second dummy substrate.

C. As noted in the prior Office action, It is the Examiner's position that, as evidenced by, for example JP 05-107533 A, cited in the IDS filed October 31, 2007, it is known in the art to provide two substrates that will be joined in opposing contact, with alignment marks. As such, it would have been obvious to provide two dummy substrates, one for each of the two substrates that will be joined in opposing contact, and to provide these with alignment marks according to the known prior art process disclosed by Applicant. One skilled in the art would have been motivated to do so by the desire and expectation of providing alignment marks on both dummy substrates. Since the process disclosed by Applicant as known for a single dummy substrate, repetition on a second substrate would have been well within the purview of one skilled in the art and readily obvious.

D. With respect to the limitation concerning the size of the substrate, as noted in the prior Office action, there appears to be no criticality ascribed to the

dummy plate area either in the cited prior art or in the invention instantly claimed. As such, one skilled in the art would have advantageously utilized dummy plates of any suitable size.

E. Finally, as noted above, it is the Examiner's position that the claimed alignment controller is inherent in the process of the prior art, since the steps carried out by such an alignment controller are obvious based on the teaching of the prior art. Phrases like *predetermined position*, *certain space*, *known distance*, *known size*, etc., are also inherent in the process of the prior art to the extent that one of ordinary skill must select values for such parameters and, since such selection cannot take place after the process has been performed, it may be considered predetermined.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Fletcher III whose telephone number is (571) 272-1419. The examiner can normally be reached on Sunday, 5:00 AM - 12:00 PM and Monday through Friday, 5:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William Phillip Fletcher III/
Primary Examiner, Art Unit 1792

14 June 2010